

# PATENT COOPERATION TREATY

## PCT NOTIFICATION OF TRANSMITTAL OF COPIES OF TRANSLATION OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

SCHAUMBURG, Kettler AG  
Postfach 86 07 48  
D-81634 München  
ALLEMAGNE

**EINGEGANGEN**  
19. Okt. 2001  
Erled. ....

Date of mailing (day/month/year) 02 October 2001 (02.10.01)	
Applicant's or agent's file reference 99 0305 P	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/EP00/02311	International filing date (day/month/year) 15 March 2000 (15.03.00)
Applicant OCÉ PRINTING SYSTEMS GMBH et al	

### 1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

### 2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

CA,JP,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP,BR,SG

### 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. (41-22) 740.14.35	Authorized officer  Odile ALIU  Telephone No. (41-22) 338.83.38
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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 99 0305 P	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/02311	International filing date (day/month/year) 15 March 2000 (15.03.00)	Priority date (day/month/year) 15 March 1999 (15.03.99)
International Patent Classification (IPC) or national classification and IPC G06F 3/12		
Applicant OCÉ PRINTING SYSTEMS GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05 September 2000 (05.09.00)	Date of completion of this report 27 June 2001 (27.06.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP00/02311

## I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

☒ the international application as originally filed.

☒ the description, pages 1-22, as originally filed,  
pages \_\_\_\_\_, filed with the demand,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the claims, Nos. 4(in part), 5-21, as originally filed,  
Nos. \_\_\_\_\_, as amended under Article 19,  
Nos. \_\_\_\_\_, filed with the demand,  
Nos. 1-3,4 (in part), filed with the letter of 06 June 2001 (06.06.2001),  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the drawings, sheets/fig \_\_\_\_\_, as originally filed,  
sheets/fig \_\_\_\_\_, filed with the demand,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-21	YES
	Claims		NO
Inventive step (IS)	Claims	1-21	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-21	YES
	Claims		NO

**2. Citations and explanations**

1. The report makes reference to the following documents:  
D1: EP-A-0 609 975 (XEROX CORP) 10 August 1994  
(1994-08-10)  
D2: EP-A-0 538 059 (RICOH KK) 21 April 1993 (1993-04-21).
2. Document D1, considered the closest prior art, discloses a method and a system for transmitting data from a computer system to an output device, from which the subject matter of the amended Claim 1 differs in that in Claim 1:  
(i) the computer system is operated using a Windows operating system or one similar thereto, and  
(ii) a printing command is generated from a user program following method steps d(1) to d(5) of Claim 1.
3. These features of Claim 1 in their present form do not proceed from any of the search report citations.
4. The subject matter of the amended Claim 1 therefore involves an inventive step and consequently satisfies the criteria of PCT Article 33(3).

5. Dependent Claims 2 to 21 relate to Claim 1.  
Therefore, they also meet the PCT novelty and  
inventive step requirements.

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. In Claim 1, feature (b), line 10, the reference sign in parentheses "(38)" is missing after the word "verbunden". Also in the amended Claim 1, the new features (d), (d1) to (d5) were incorrectly numbered, that is, "(d)" appears twice, for example.
2. In Claim 2, line 22, the reference sign in parentheses "(Makros,)" is missing after the word "Zusatzdokumente" - see PCT Rule 6.2(b).
3. In Claims 5, 6 and 12 to 15, the terms "Windows", "Linux", "Macintosh", "PCL", "Postscript" and "LCDS" appear to be registered trademarks. They have not, however, been identified as such.
4. Contrary to PCT Rule 5.1(a)(iii), the description is not in line with an acceptable set of claims.
5. Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1 or D2 or indicate the relevant prior art disclosed therein. Document D2 discloses a similar system to that of document D1.

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The words "second aspect" are used on pages 5 and 6 of the description. Since the content of these texts is not the subject matter of the application but rather the additional features of the dependent claims, instead of "aspect", the word "embodiment" should have been used.
2. On page 8, lines 19 to 20, and page 19, lines 8 to 9 of the description, the it reads "included by means of reference". If the content of a publication is considered essential for the understanding of the subject matter of the present application, the relevant texts should be explicitly included in the description. Otherwise, the publication in question should not be mentioned.